

# **Northland Constructors**

## **of Duluth, LLC**

October 4<sup>th</sup>, 2010

Serial Letter 4465.016

Mr. Brett Cahoon  
Kraus-Anderson Construction Co.  
3716 Oneota Street  
Duluth, MN 55807

Re: Duluth Int'l Airport, Passenger Terminal Building (Civil Site Work  
FAA AIP 3-27-0024-48-10, RS&H Job No 213.1882.091

Subject: Notice of Intent to Claim, Over Excavation & Lean-mix Concrete

Dear Mr. Cahoon:

This letter is in response to letter from Kraus Anderson Construction (KA) dated 10/04/10, referring to Northland Constructors (NC) work scope and lean-mix concrete. In the interest of keeping the overall project on schedule NC had notified KA as soon as the extra work was brought to our attention. We presented detailed reasons why this is extra work in NC Serial Letters 4465.014 – 4465.015.

It is still our intention that the work being asked of NC is clearly extra work outside our original contract and scope of work. NC will proceed to accomplish the over excavation that is being determined by the geotechnical engineer. However, we fill the placement of the lean-mix concrete, is so far beyond our scope of work, we are requesting that the work be placed in your structural concrete scope of work.

NC will proceed to accomplish the over excavation at your direction to advance your construction schedule at KA's request. We will track our work for this claim on a separate cost phase or force account, in case unit prices cannot be agreed upon for this work. In addition to seeking additional compensation for the work, we will seek additional calendar days required to complete the work. Should the work be pushed into winter weather, we will seek compensation for weatherization, heat, re-mobilization, and any other unforeseen conditions that may arise from the delay.

Please contact me directly should you require additional information,

Sincerely,



Nathaniel Fox  
Project Manager  
Northland Constructors of Duluth, LLC

## Barta, Chris

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**From:** Nathan Fox [nathanf@northlandcompanies.com]  
**Sent:** Tuesday, October 05, 2010 11:22 AM  
**To:** Cahoon, Brett  
**Cc:** Barta, Chris  
**Subject:** Notice of Intent to Claim  
**Attachments:** 4465.016 Notice of Claim Work - Over Excavation.pdf

Brett,

I know we had originally discussed Northland taking over the placement of the lean-mix concrete. We had a discussion inside our company and feel that this is so far outside our scope of work and such a major change to the contract, we feel your structure concrete contractor should be placing the lean mix concrete, we can do the excavation as required. See my attached letter.

Nathan